

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 19-268 (MJD/BRT)

(1) DARNELL ANDRE DUNN and

(2) JUSTIN MARLO LINDSEY,

Defendants.

Harry Jacobs, Assistant United States Attorney, Counsel for Plaintiff.

Kurt B. Glaser, Smith & Glaser, LLC, Counsel for Defendant Darnell Andre Dunn.

Piper Kenney Wold, Law Office of Piper L. Kenney, Counsel for Defendant Justin Marlo Lindsey.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated February 28, 2020. Defendant Darnell Andre Dunn and the Government filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the

Court adopts the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated February 28, 2020.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated February 28, 2020 [Docket No. 75].
2. Defendant Dunn's Motion for Suppression of Evidence [Docket No. 55] is **GRANTED IN PART** and **DENIED IN PART** as follows: the Court **DENIES** Defendant Dunn's motion to suppress evidence resulting from the traffic stop on August 30, 2019; **DENIES** Defendant Dunn's motion to suppress evidence resulting from the August 31, 2019 stop and subsequent search; and Court **GRANTS** Defendant Dunn's motion to suppress his August 31, 2019 statements.
3. Defendant Lindsey's Motion to Suppress Search and Seizure Evidence [Docket No. 56] is **DENIED**.

Dated: May 18, 2020

s/ Michael J. Davis

Michael J. Davis

United States District Court